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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

## SUNSTONE INFORMATION DEFENSE, INC

Case No. 4:21-cv-09529 YGR

**Plaintiff**

v.

E5 INC

Defendant(s).

**PATENT L.R. 4-3 JOINT CLAIM  
CONSTRUCTION AND PRE-HEARING  
STATEMENT**

1 Pursuant to Patent L.R. 4-3, Plaintiff Sunstone Information Defense, Inc. and Defendant  
 2 F5, Inc., submit this Joint Claim Construction and Pre-Hearing Statement.

3 **I. PATENT L.R. 4-3(a): AGREED CLAIM CONSTRUCTIONS**

4 The parties have reached an agreement as to the constructions of the following  
 5 terms/phrases found in U.S. Patent Nos. 9,122,870 (“the ’870 patent,” attached hereto as Exhibit  
 6 B); 10,230,759 (“the ’759 patent,” attached hereto as Exhibit C); and/or 10,958,682 (“the ’682  
 7 patent,” attached hereto as Exhibit D):

8 <b>Term</b>	9 <b>Agreed Construction</b>
10 “Hard information”  11 Found in claim numbers: 12 ’870 Patent, Claim 7  ’759 Patent, 13 Claims 1, 3, 5, 6, 8, 9, 11, 15, 17	10 transactional text and/or data displayed by a client device

14 **II. PATENT L.R. 4-3(b): DISPUTED CLAIM CONSTRUCTIONS**

15 The parties have proposed constructions for each of the disputed claim terms/phrases,  
 16 together with an identification of all references from the specification or prosecution history that  
 17 support that construction, and an identification of any extrinsic evidence known to the party on  
 18 which it intends to rely either to support its proposed construction or to oppose any other party’s  
 19 proposed construction in the attached Exhibit A hereto.

20 Either party may also rely on intrinsic and/or extrinsic evidence identified by the other  
 21 party, and any evidence obtained through claim construction discovery. A party may supplement  
 22 its claim construction positions and/or supporting evidence in response to any change of position  
 23 by the other party, or for other good cause.

24 **III. PATENT L.R. 4-3(c): MOST SIGNIFICANT CONSTRUCTIONS**

25 Because, as shown in Exhibit A hereto, there are 10 or fewer disputed terms, the parties  
 26 identify each of the terms in Exhibit A as potentially significant to the resolution of the case.

1 As set forth in Exhibit A hereto, Plaintiff's and Defendant's impact statements for each  
2 of the disputed terms identify which terms each party contends are case or claim dispositive.

3 **IV. PATENT L.R. 4-3(d): LENGTH OF CLAIM CONSTRUCTION HEARING**

4 The parties anticipate that the claim construction hearing will take approximately two (2)  
5 hours, with the time split equally between the parties.

6 **V. PATENT L.R. 4-3(e): LIVE WITNESS TESTIMONY**

7 The parties do not intend to present live witness testimony on claim construction.

8 **VI. PATENT L.R. 4-3(f): REQUESTED FACTUAL FINDINGS**

9 The parties do not request any factual findings related to construction of the disputed terms.

10  
11 Dated: August 19, 2022

Respectfully submitted,

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